

AFFIDAVIT OF  
DAVID BENNETT  
09/08/2020

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

Michael “Dalton” Bickley,

Plaintiff,

v.

Lexington County School District 1; South  
Carolina Board of Education; South Carolina  
High School League; Lexington Baseball Club,

Defendants.

C.A. NO.: 3:19-cv-02598-SAL

**AFFIDAVIT OF DAVID BENNETT**

PERSONALLY APPEARED BEFORE ME, the undersigned, David Bennett being duly sworn according to the law, depose and say as follows:

1. I have been employed by Lexington County School District One (“the District”), for a total of 7 years. This is my 5<sup>th</sup> year as the District’s Athletic Director. Prior to this, I served as Athletic Director of River Bluff High School. I held that role from 2013 to 2016.
2. I am familiar with the allegations in the above complaint. I have some personal knowledge of Mr. Bickley and his mother, Teena Gibson.
3. Mr. Bickley played baseball on River Bluff High School’s ‘B’ team when he was in 7<sup>th</sup> and 8<sup>th</sup> grade at Meadow Glen Middle School. The “B” team served as a feeder program for young players in the District so that they can be trained and coached by the District coaching staff in preparation for joining the high school team.
4. Mr. Bickley was zoned for River Bluff High School, but when he became a ninth grader, he transferred to Lexington High School. As a result of his transfer, and by rules of the

South Carolina High School League, he was unable to compete in any Lexington High School baseball games during his freshman year. Although Bickley could not compete in league play, he did practice and work out with the team.

5. I was present on March 9, 2017 for a meeting with Mr. Bickley's mother, Teena Gibson. Ms. Gibson requested this meeting with me, as District Athletic Director; Perry Woolbright, the Lexington High School Athletic Director; and Brian Hucks, Lexington High School's head baseball coach. This meeting was memorialized in writing by AD Woolbright. That memorandum is attached to this affidavit as Exhibit A to this Affidavit. The contents of this memorandum are accurate to the best of my recollection.
6. Ms. Gibson had a variety of concerns and complaints. At the time, Mr. Bickley was not playing on the Lexington High School Baseball team. He had sustained an arm injury in the summer of 2016 while playing with the Lexington Baseball Club ("LBC"). It is my recollection that by that time he had been released to play again. However, he was not playing on the team, and Ms. Gibson stated that it was her decision for him not to play.
7. Ms. Gibson revealed that part of her concern was related to one of the part-time coaches for the Lexington High School Baseball Team, Will Cheatham. Mr. Cheatham was not an employee of the District, but rather a part-time coach from the community who received a small stipend for working with the team. Mr. Cheatham had also coached Bickley on the LBC team and had also given him private coaching.
8. The Lexington Baseball Club is one of any number of summer league baseball programs in South Carolina. It was not and is not affiliated, organized, or operated by the District. The District has no control over what occurs in summer league programs such as the Lexington Baseball Club.

9. Some members of the district coaching staff earn extra money by participating in summer league programs, but they do so outside of their employment with the District.
10. District students are not required to participate in a summer league program, though a majority do in order to continue their training, practicing, and conditioning throughout the year.
11. At or around the same time as the meeting with Ms. Gibson claimed that Mr. Cheatham had sent some derogatory text messages to her, and that Bickley had heard a voice mail from Cheatham to Ms. Gibson with similar derogatory statements. I requested a copy of those text messages as proof and Ms. Gibson eventually provided them. When I received a copy of these text messages, I took them immediately to the District's Human Resources Department. Thereafter, Mr. Cheatham was told he was no longer able to work with the team.
12. Ms. Gibson also wanted to know why Mr. Bickley had received less time in the bullpen during the 2016-2017 season. It was explained to her that Bickley was ineligible to play on the team that year because of the high school league's transfer rule, and that because of that, he got less bullpen time than other players who were actually going to play.
13. The District is under no obligation to give an equal amount of bullpen time to students who are not eligible to compete.
14. I am aware of Mr. Bickley's claims of mistreatment by District athletics personnel. As I understand the allegations, they do not constitute mistreatment, bullying or harrasment.
15. As the District's Athletic Director, I fully expect our coaches to encourage our student athletes to be good citizens, be responsible team members, and display good sportsmanship. Where, as with Bickley, our athletes are not doing these things, I would

expect our coaches to call out bad behavior and correct them as Coach Thompson and Coach Bonnette did.

**AFFIANT FURTHER SAYETH NOT!**

  
David Bennett Date Sept. 8, 20

**SWORN** to before me this 8th

day of September \_\_, 2020.



My Commission Expires: February 4, 2026

# EXHIBIT “A”



Lexington

SPORTS

**WILDCATS**

3/9/2017

Meeting with Tina Gibson

Ms. Gibson came in and met with myself, David Bennett, and Coach Hucks. She wanted to talk about an issue she had with her son Dalton Bickly. Dalton is no longer on the baseball team because SHE had him quit. She said Dalton has hated not being on the baseball team and that he would never play again.

- She wanted to know is workout throwing last fall. Coach Hucks explained he was on team but could not play because ineligible so he got less bull pen time than other players because Dalton wasn't going to play in game
- She went around and around about issue that had nothing to do with school
- Hucks told her his pitching stats from summer league pitching which was same as any player on the team
- She admitted it was her that made him quit and that Dalton was enjoying playing baseball
- She admitted it was her saying that he would never play again not Dalton
- She admitted she had problem with Will that Dalton was fine with him and other coaches

Perry Woolbright  
Athletic Director